

State of the Judiciary
Chief Justice Brian D. Boatright
January 13, 2023

Speaker McCluskie, Senate President Fenberg, distinguished members of the House of Representatives and the Senate:

Introduction

Each year in September, judicial officers from around the state – magistrates, county court judges, district court judges, appellate judges, and even some tribal judges – come together for three days to receive training and to exchange ideas. During this year's conference, I had the opportunity to address all of the judicial officers in the state. I asked them to think back to when they first decided they wanted to become judicial officers. I asked them why. Why did you want to become a judicial officer? We had the ability to immediately look at their responses. The top answer was to help people, followed by the desire to make a difference, and third, to serve the community. While there were a lot of ways to express their why, the overarching themes reflect a genuine desire to serve our communities because they care about people who come into their court.

Every day around the state, in every court, our judicial officers take the bench committed to uphold the rule of law. We handle over a half million cases every year in 70 courthouses. Throughout the state, we have approximately 400 trial court judges and magistrates presiding over small claims to first degree murder cases. The criminal cases make up about 50% of the cases and garner most of the headlines. But from my experience as a trial court judge, every day

our judges make decisions about families, children, our elderly, small businesses, and the important topic of water. Every case we handle affects people, and that's why having judges who care and want to serve is critical.

In my two years as chief justice, I have received calls and letters asking me to intervene in cases. Parties to cases and even members of the public want me to tell a judge how to handle a specific case, to remove a judge from a case, or to undo a judge's ruling. They forget or don't understand that our judges are independent constitutional officers, just like you all are. In other words, I do not have any authority over a specific case until it comes to our court on appeal, and I do not have any control over a judge's docket or case management decisions.

But let me tell you about how we are organized. The supreme court, as the head of the judicial branch, has authority over the practice of law. We also have administrative authority over the branch, which includes approximately 4,000 employees. Our judges are appointed by a merit selection system. Briefly, each judicial district, of which there are 22 and soon to be 23, has a nominating commission of seven people, four of which are non-lawyers. When we have a judicial opening, the nominating commission reviews applications, conducts interviews, and then selects two or three applicants to send to the Governor for his selection. Political affiliation is not disclosed in the application process, and, in my experience, it is not a consideration for the nominating commissions. The Governor then has 15 days to appoint one of the candidates nominated by the commission. A judge appointed by the Governor then stands for an initial retention election after serving two years and retention elections for each subsequent term, which varies in length from four years to ten years depending on the court. Our system of selecting, evaluating, and retaining judges is the best in the country. I will give you two examples why. First, when we have a vacancy in our trial courts or appellate courts, our constitution requires

that it be filled within 45 days. In the federal system, vacancies are sometimes not filled for months or even years due to the politics inherent in that system. Second, of the current seven justices on the supreme court, three of us were appointed by a republican governor to the trial court, and then the three of us were later appointed by a democrat governor to the supreme court. As you can see, one goal of merit selection is to de-politicize the judiciary and I think that demonstrates its success.

Investigations and Recommendations

I now want to turn to a topic that I dedicated much time to in my last State of the Judiciary Address. Two years ago, I stood before you at a time when our branch was the subject of public allegations of misconduct. At that time I, on behalf of the supreme court and the entire Branch, committed to thorough and transparent investigations. We have lived up to those commitments. In so doing, we asked for the help of several of you here today and members of the Executive Branch in selecting not only the investigators for the allegations but also defining the scope of the investigations. The investigations were completed last summer, and the results are posted in their entirety on the court's website. If you have not read them, I urge you to do so. But today, I do not want to dwell on the past. Instead of treading back through history, I want to tell you what we learned and what we are doing in the future.

As I stand before you today, I am excited and energized by the meeting of the minds and hearts of the Judicial Branch. We are reflecting, learning, acting, and committing to a future that supports our conviction to assure the Branch is a great place for our employees to work, provides the best service to the state of Colorado, and maintains systems to enhance public trust.

As a result of the engaged participation with the Branch's leadership and staff, we have three strategic priorities for our emerging future.

1. First, we are improving our operations to better serve Colorado. We are building operational excellence and strong oversight into our business operations. As such, the public and you will have confidence in our business-related decisions.
2. Second, we are empowering our employees. We commit to making the Branch a place where employees and staff feel engaged and empowered. We recognize the importance of having a sense of deep connection to our organization's purpose, and having employees know their contributions are making a difference to those we serve; and
3. Third, we are listening to all stakeholders. We continue to have our ears wide open and are building a continuous, welcoming, and safe feedback loop with our staff and stakeholders. To our staff, to you, we hear you, and we are taking your feedback and communication seriously.

Implementation of Recommendations

In the spirit of looking forward and improving our workplace and operations, we asked the investigators to make concrete recommendations for improving our operations and our culture.

Former U.S. Attorney Bob Troyer was the lead on the first investigation. Following the investigation, his group had recommendations for improving our operations. The Troyer report contained recommendations for strengthening the Branch's fiscal rules, ensuring that the leadership receives adequate support and training, and improving transparency in decision-making and communication. Consistent with the recommendations, the Branch is revising its rules, better defining leadership roles, improving training, and emphasizing more detailed ethical

expectations. To that end, in our budget request you will see a request for additional resources for training. These training resources will be used to help staff and judges.

Investigations Law Group, led by Liz Rita, conducted the second investigation. A large part of that investigation scrutinized the Branch's workplace culture. ILG found that the Judicial Department has a positive workplace culture and, by and large, our employees are proud to work for us. ILG, however, also found areas for improvement. Women make up about 77% of our non-judge work force and about 44% of our judge population. But overall, women were less positive about our culture. Most upsetting to me was learning that some of our employees did not feel comfortable reporting unacceptable behavior or workplace concerns for fear of retaliation or because they didn't believe it would be taken seriously. That is not acceptable, and we will do better. One step we are taking to address that concern is contained in our budget request. We are asking for an Organizational Ombudsperson. Our Organizational Ombudsperson would provide a safe place for our employees to get assistance, support, and resources for workplace issues involving non-judge staff, while maintaining an independent complaint and investigation process for the Office of Judicial Discipline when a complaint concerns a judicial officer. That Organizational Ombudsperson would act as a guide for our employees when they have concerns.

A second step is to bring our HR Department up to modern standards. If you read the ILG report, you will see references to an Office of People and Culture. In my view, what that is recommending is the modernization of our HR practices and increased support resources for our employees and judges. In a nutshell, we want our new Office of People and Culture to be proactive, not reactive. We want an office that can help recruit, onboard efficiently and effectively, train our new employees, and provide continuous training for all employees. And

importantly, proactive work around diversity, equity, and inclusion will be a significant priority of this office. We are moving forward with this office not simply to implement a recommendation, but because we believe that it is the right thing to do. How we treat our employees is of critical importance to how we best serve the public.

At an even higher level, we are re-examining our mission, vision, and values as an organization, both internally and to the public we serve. This will help us move forward together and ensure that our work is tethered to what we value as an organization. In sum, we want to empower our employees and truly make the Branch an excellent place to work and one where employees will see our work as a career and not just a job. This will allow us to best serve the public.

Implementation of these recommendations is not just an exercise in checking boxes. What we have learned from the investigators, from other courts, and from experts in organizational change management, is that true organizational change cannot be mandated. When change comes in the form of a top-down policy or mandate, it will fail. We need every judge and employee to understand our strengths and our deficiencies, our goals, and to have a voice in how we move forward. We want engagement from all employees around the state.

Listening Tour

With that goal in mind, the seven justices decided that we needed to go to each of our courthouses and talk with our 4,000 employees and 300 plus judges, and we needed to do that in person. So, we did. From September through the end of December we divided up the state amongst the seven of us and, many times accompanied by a Court of Appeals judge, hit the road with the goal of meeting and hearing from every judicial branch employee. And while we didn't count heads for attendance, we were largely successful. Our goals were to listen to the concerns

and issues that are important to our employees and judges and hopefully convey that we sincerely care about each and every one of them.

In these discussions, we heard certain themes: Compensation is a real issue for our employees. Many of our employees are really struggling financially. We have a large number of employees working two jobs to make ends meet. As one probation officer put it, I supervise sex offenders by day and wait tables by night. This is also true for many of our judicial assistants. The branch has employees in every county of the state, and these compensation issues are compounded by the extremely high cost of living in many of our communities. Because we are required to have courthouses and court operations in every county, we cannot just say it is too expensive to do business in certain parts of the state. For instance, our courthouse in Pitkin County has been understaffed by 40% for the last two years.

Suffice it to say that in many parts of the state we are simply not paying a livable wage. We are losing good employees everyday to higher paying jobs. Staff turnover and training were discussed extensively. We need to do a better job of onboarding and training our staff. Failing to properly support our employees right from the start and provide continuous training can lead to frustration, performance issues, and more turnover. In the simplest of terms: frequent turnover leads to training issues and inadequate training leads to turnover. Frankly, we heard that it is difficult to have a shared mission and a culture of excellence when staff are constantly turning over.

Interestingly, the investigations were not an important topic to most Branch employees. While the supreme court has been significantly involved with the investigations for the last two years, our employees have just been doing their jobs while confronting COVID, inflation, remote hearings, turnover, increased demands, understaffed human resources support, and trying to

make ends meet. We heard from many of our employees that what happened over 3 years ago involving people who are no longer with the branch was not important to them, and they have confidence that the right steps are being taken for our future.

On the positive side, in our listening sessions, we also found that employees all around the state are deeply committed to doing the work of the Judicial Branch. I could not be prouder of our employees. The branch survived some trying times during COVID. The courts managed to stay open and avoided large outbreaks of COVID, and we are continuing to emerge from the backlog of jury trials. Our judicial officers, court executives, clerks of court, court staff, and probation officers are front line heroes. They innovated, they collaborated, and they should be commended.

Amendment D

I want to touch on two legislative matters that have been important to the Judicial Branch and our operations. I earlier referenced that we will soon have a 23rd judicial district. In 2020, a new law was enacted that split the current 18th Judicial District in two. Beginning in 2025, Arapahoe County will be the 18th Judicial District, and Douglas, Elbert, and Lincoln Counties will comprise the new 23rd Judicial District. The law created some uncertainties in how judges from the 18th would be assigned to the new 23rd. Thankfully, with the help of Representative Weissman, Senator Gardner, Senator Fields, Senator Van Winkle, and Representative Kennedy, the legislature passed a concurrent resolution to clarify the mechanics of the judge assignments. The voters overwhelmingly approved Amendment D this past November, and this will ensure a smooth transition and no disruption in services for the courts in the new 23rd Judicial District. Thank you all.

Judicial Discipline

This past summer, the legislature convened an interim committee to look at possible legislative and constitutional changes to the disciplinary process for judges in Colorado. At the end of a thorough and lengthy process, the Committee proposed one legislative bill and one concurrent resolution to amend the constitution to change the judicial discipline process. The proposed changes improve transparency of the process, ensure due process for judges, and bring Colorado in line with modern judicial discipline systems. The legislation reflects a true bipartisan effort and are good, common-sense changes. I want to thank Representative Mike Weissman and former Representative Terri Carver for chairing the interim committee and, through their leadership, ensuring that the process was not politicized. I also want to thank the other Committee members for their hard work and dedication during this process.

Probation

I will now move to something that is frequently misunderstood and overlooked —the work of our probation departments. I served as the liaison justice to our probation departments for many years, and I was always bothered by the false assumptions about the work of probation. I want our probation staff to know that they are not overlooked by me or by our court, and I want to clear up any misimpressions that the public may have about the mission, work, and values of our probation officers. Our probation officers are the unsung heroes of not only the Judicial Branch, but of the entire criminal justice system. Probation remains the most cost-effective method for supervising offenders. This fiscal year an offender incarcerated in the Department of Corrections will cost the state approximately \$57,000, an offender in the Community Corrections program

approximately \$14,000, and an offender on parole approximately \$7,700. An offender on probation, by contrast, will cost the state about \$1,900 – a fraction of the cost of any of the alternatives. And when you consider that at any given time throughout the year that the probation department is supervising approximately 70,000 people, you can clearly understand the monetary value of our probation officers. But what they do to help their clients is much more important than the monetary cost of supervision. I want to emphasize that probation is not punitive. Probation is intended to rehabilitate an offender, reintegrate them into the community, and to provide tools to help the offender successfully complete a probation sentence. From my 30-plus years of working in the criminal justice system, I know that our probation officers want their probation clients to succeed.

I have three stories to share that speak to the human side of probation. This fall in the Westminster Office of the 17th Judicial District in Adams County, probation officer Bill Benson was entering the men's restroom and found a man on the floor unconscious and not breathing. Bill saw drug paraphernalia on the floor. He asked the front office to call 911. He returned to the bathroom and administered one dose of Narcan to the man. The man did not respond, and Bill began chest compressions. Shawn Doyle next responded. The man remained unconscious. Bill then administered a second dose of Narcan. Bill continued compressions and Shawn (utilizing a shield from an emergency bag) began rescue breaths. Shane Stockley arrived and immediately retrieved the Automated External Defibrillator (AED). Shane and Dmitri Medoff applied the AED. The AED located a pulse, instructed responders to continue CPR and advised against emergency shock. Bill, Shawn, Shane, and Dmitri positioned the man on his side as instructed by the AED. The man began taking periodic breaths but was still unresponsive. Paramedics arrived and soon thereafter, and the man regained consciousness. It was determined

that he was a probationer who had overdosed on fentanyl in the restroom. The client was transported by ambulance and survived. This group adhered to the Narcan and First Aid/CPR training protocol and their textbook response was exemplary. Simply stated, the heroic actions of these individuals saved that man's life.

In Douglas County, the 18th Judicial District, Probation Officer Miranda Shepherd went to the waiting room of the probation department and discovered one of her clients seemingly asleep. She was not able to wake him by calling his name. After touching his arm, she got him to wake up and gave him some water. She then realized that the client was in distress. She notified her supervisor, Kathy Krick, of the situation. They called for help, and the client was transported to the hospital. On the way to the hospital, paramedics administered two doses of Narcan to save his life. It is not difficult to think what would have happened if Miranda and Kathy had waited even a few minutes to act. By Miranda and Kathy's keen observation and quick actions, they too saved that client's life. Everyone involved in these two situations are heroes.

The final probation story is about a woman I will call Sara and her probation officer, Cassie Korse. Sara grew up in a tumultuous family and began using drugs with her mother at a young age. In 2018, she was sentenced for felony drug possession. When she was placed on probation, she was using illegal drugs and alcohol. She had a young son and was in an abusive relationship with her husband. Initially, she tried outpatient treatment, but she continued to use illegal drugs. She was then referred to a short-term intensive residential treatment program. She was discharged, however, because she was suicidal. The situation with her husband continued to escalate and Human Services became involved. Her son was eventually placed in foster care. Her probation officer and human services then worked together to get Sara back on track. Despite the team effort, Sara's probation was revoked and regranted, meaning that she was given

another chance to succeed on probation instead of going to prison. This was the third time she was granted probation. Her Probation Officer and caseworker were then able to get her into Sobriety House where she was prescribed and regularly took her mental health medication, received medically assisted treatment called suboxone, and became involved in Narcotic Anonymous meetings. Sara finally had a positive support system around her. Despite that, she continued to have positive drug tests, and she was discharged from Sobriety House. Nevertheless, Cassie, her probation officer, did not give up on her. Cassie was able to get her into a sober living house called David's House, which was paid for by probation. Sara continued her treatment, and something clicked for her. She eventually became the house manager. She got her son back. She stayed sober and her probation was successfully terminated. She is now a Peer Support Specialist at a treatment provider. Recently, she wrote her probation officer:

Hi Cassie! Not sure if you remember me but this is Sara. I am working as a Peer Support Specialist and working with a problem-solving court. I am still sober, 3 1/2 years!!! I have my son back and I am doing fantastic. I really just wanted to say thank you. I really think that you went above and beyond for me and it seriously changed my life. Between you and Child Protective Services, you saved my life. I will be four years clean on May 20th. I could not be more thrilled with how my life has turned around. I now get to help others in their addictions and really get to spread the word that recovery is possible.

I share this story with the hope that it dispels any idea that probation is anxious to revoke probation and jail their clients. Sara repeatedly violated her probation, but her probation officer did not give up on her. Hopefully this story demonstrates how our probation officers are deeply committed to their clients' success.

I asked Bill Benson, Shawn Doyle, Shane Stockley, Dmitri Medoff, Miranda Shepherd, Kathy Krick, and Cassie Korse to join us here today so that I could publicly thank them for their heroism. I ask you to join me in thanking them all for their service to their public, their dedication, and their commitment.

These stories are examples of the extraordinary work of our probation officers. And I can assure you that if we had the time, I could recount story after story of our probation officers in each and every judicial district in the state going above and beyond. I am extremely proud to have the probation department as part of the Judicial Branch, and we should all be thankful for the work that they do.

Diversity

We have been working extremely hard as a branch to diversify our bench. Our efforts have caused other judicial departments around the nation to look to us for guidance. As a result, Justice Márquez was invited to speak to congress. As Justice Márquez testified at a Congressional hearing in 2021, “Property, livelihoods, reputations, family relationships, or even life and liberty can be on the line [for the litigants]. A litigant who has confidence that the judge deciding her case has some sense of her life experience eases some of that stress and enhances her trust that the decision rendered will be fair—even if the judge ultimately rules against her.”

As we head into the third year of our judicial diversity outreach program, we are seeing its positive impact. As I mentioned at the beginning, we gathered in person for Judicial Conference last fall. It was the first time since 2019. The room looked and felt different; we saw more women and more diverse colleagues among us. As I look out today and see a legislature that has more women than men and is so diverse, I imagine you all know that feeling that I am

describing. Diverse law students entering the legal profession have shared with us how inspiring it is to see judges who look like them. Today, 17% of judges on the Colorado state court bench are judges of color, whereas we only had 10% judges of color four years ago. More strikingly, in 2018, we had just one Black District Court judge serving our state. Today, we have 15 Black judges—19 including Denver County Court—taking the bench each day.

This progress has been possible through the collective efforts of many. Thanks to the efforts of our broader legal community, the diligence of our citizen judicial nominating commissions, and the thoughtful appointments by Governor Polis (who has now appointed more than 40% of all state court judges in Colorado), our bench today better reflects the many diverse communities across the state that we serve. Initiatives such as the Dream Team 2.0 Coaching Program and the Colorado Hispanic Bar Association’s Judicial Task Force help develop viable candidates for judicial vacancies and provide invaluable resources to diverse and first-time judicial applicants. Our pipeline efforts extend to college and law students, who will be tomorrow’s lawyers and judges. Many of our judges serve as mentors in the Law School Yes We Can program (led by Executive Director Dr. Kimberle Jackson-Butler), which helps diverse college students prepare for law school through networking opportunities, leadership training, and LSAT preparation. We provide experiential learning opportunities for diverse law students through our Judge Lorenzo Márquez internship program and offer networking opportunities with our judges through our popular “virtual coffeehouse” called Java with Judges. We are also encouraging diverse law students to consider legal opportunities in parts of greater Colorado through a new summer externship program. We are able to invest in these important programs because you (the legislature) recognized the need and empowered us to do more. Thank you again for creating a judicial diversity program that is the first of its kind in the nation. It is making a difference. And

so do you. I want to recognize that this legislature is the second in the nation to have a majority of women in the legislature.

This work is so important, and our work continues. Now we must accelerate the work of fostering inclusion and well-being in the workplace to ensure that all of our employees – judges and staff – have the training and support they need to flourish. To solidify the foundational work we have done, we are now asking the legislature to help us create a lasting legacy with true transformational change.

Justices' Whys

I started out talking about our judges' why. To me that is the most fundamental question of who we are as judges. I want to share with you all the justices' whys. I think it is important for you all to know who we are and why we are going to see the changes that we have started through to completion. I will start with our most senior justice and our next chief justice.

Justice Monica Márquez

Justice Monica Márquez's family roots lie in the San Luis Valley. She grew up on the western slope and graduated from Grand Junction High School. All her life, she has felt called to serve. After college, she joined the Jesuit Volunteer Corps, where she worked as teacher and community organizer in Camden, NJ and West Philadelphia. Her multi-year immersion experience as a Jesuit Volunteer exposed her to the complexities of urban poverty and inspired her to go to law school. Early in her legal career, that same call to service drew her to the Colorado Attorney General's Office, where she worked under Ken Salazar and John Suthers, both of whom cultivated in her a deep respect for the workings of state government and the Colorado state court system. Over time, she discovered that what she loved most about her work

was figuring out the “right” answer to a legal issue – the answer that reflected commitment to the rule of law, not a particular outcome in a given case. Her call to serve has continued in her role as a justice. She loves the work of solving complex legal issues, she is devoted to state government, and each day for her is both a gift and an opportunity to serve all of the people of Colorado and its many diverse communities.

Justice Will Hood

After spending many years pounding his fist on both sides of the aisle as a trial lawyer in civil and criminal cases, Justice Hood was drawn to the idea of becoming the neutral in the courtroom. He describes himself as a devoted “law nerd,” who has always enjoyed legal research and writing more than just arguing facts. Becoming a trial judge in Denver gave him an opportunity to be a neutral law nerd focused on getting to what seemed to be the correct answers to legal problems, rather than simply arguing one side or the other. He likes the view of the capitol from our courthouse across the street because it reminds him of how those of us in state government work together to give life to the rule of law, which he sees as the glue that binds our society together. He values and respects the role you play as our elected representatives in creating laws that the governor’s executive agencies then work hard to implement and enforce. He enjoys being part of a non-partisan judiciary that strives to resolve disputes by honoring legislative intent and constitutional requirements.

Justice Rich Gabriel

Justice Gabriel is of the first generation in his family to go to college, and growing up, money was always a struggle for his family. He did not think that he would be able to afford to attend any top-flight schools, but he was blessed with great teachers who encouraged him. They told

him that good schools would offer support to students who needed it, and they pushed him to dream big. Fortunately, he listened, and he attended very good schools, with the help of massive financial aid.

After graduating from law school and clerking for a federal judge, he began his career working for large, prestigious law firms, first in New York and then in Denver. He never forgot, however, where he came from, and because he received so much from his practice of law, he always felt a strong moral obligation to give back. So, throughout his time in practice, he served on many nonprofit boards and as a municipal prosecutor, and he provided hundreds of hours of pro bono service, representing abused and neglected children for almost 20 years, an Oklahoma death row inmate for 9 years, prison inmates referred to him by the 10th Circuit Court of Appeals, and civil rights litigants referred to him by the ACLU, among others. It was this sense of obligation to give back that ultimately led him to the bench, his thought being that there can be no higher calling for a trial lawyer, and no greater way to give back, than to be a judge. And so, he applied and was fortunate enough to be appointed first to the Colorado Court of Appeals and then to his current court. It has been, and continues to be, the honor and privilege of his life to get to serve the people of Colorado as a judicial officer.

Justice Melissa Hart

Justice Hart has been passionate about civil access to justice – making the legal system accessible, understandable, and fair for civil litigants regardless of their economic status – for as long as she has been a lawyer. She realized (in part through teaching legal ethics for two decades) that state supreme courts have a central role in protecting and promoting access to justice through regulation of the legal system and the practice of law. She decided that she wanted to be a member of the Colorado Supreme Court, if given the opportunity, so that she

could advocate for a focus on the needs of poor people in the civil justice system and the importance of making the system work for those who have to navigate the law without lawyers.

She loves the parts of the job that involve studying hard legal questions and providing clear answers through written opinions – the black robe parts of the job. But what inspired her to seek out this role was the behind-the-scenes administration of the courts with the aim of best serving the public.

Justice Carlos Samour

Justice Samour was born and raised in El Salvador. He and his family fled El Salvador when he was 13 years old during a time of political upheaval. Years earlier, Justice Samour’s father had been ousted from his judicial position and their family home had been riddled with bullets because he stood by his conviction to faithfully apply the law in a murder case, despite pressure from a high-ranking military official to do otherwise. When the family received an anonymous death threat, they immediately packed what they could fit in their van and left for the capital to apply for visas to come to the U.S. A week later, with all the necessary paperwork in hand, they made the five-day journey to Colorado. When they arrived here, they slept on a relative’s basement floor until they could find housing. They could not speak English, were in culture shock, and did not have access to most of their possessions or savings. Because the situation in El Salvador deteriorated, they decided to apply for, and later obtained, their permanent residency and eventually their citizenship.

This ordeal taught Justice Samour firsthand about the perils that ensue when the judiciary is improperly used as a vehicle for personal or political gain and left him with a profound respect for the rule of law and the sacred role that a fair, impartial, and independent judiciary plays in a

democratic society. His family's unplanned departure from El Salvador, along with his father's heroism, inspired Justice Samour to become a judicial officer and to fight for a system of equal and impartial justice.

Justice Maria Berkenkotter

Justice Berkenkotter knew she wanted to be a judge from the time she was in third grade, which is a little unusual because her family didn't know any lawyers or judges. They also didn't have a TV, so it is hard to know where she got the idea or what she even thought it meant to be a judge. As time passed and she grew to understand that trial court judges help people resolve their disputes—she was hooked. After being appointed to the Boulder District Court in 2006, she was delighted and more than a little relieved to learn that her third-grade self had set her on a path to the best and hardest job she'd ever had.

During her time as a trial court judge and chief judge in Boulder, Justice Berkenkotter had the opportunity to work with her colleagues and stakeholders in the 20th JD to modernize and streamline many of the court's practices. There are many reasons why Maria wanted to join our court: to preserve the rule of law, to serve the entire state in the midst of the turmoil caused by the pandemic, *and* to work with our court and staff and judges from across the state to modernize the branch. She knew from her time as a chief judge that effecting certain statewide changes could help not only the people who work in our courts, but also the many people we serve. For the past six months, that has meant working with her colleagues to examine the needs of the districts in order to intentionally shape our priorities and directing the implementation of the various recommendations in the ILG and Troyer reports.

Chief Justice Brian Boatright

As for myself, I have shared this before, but it is my why. I have always known that I wanted to be a lawyer. My dad was a lawyer, and I wanted to follow in his footsteps. Being a judge was never the plan. That changed when I was a young lawyer. I was trying a serious case, and I had a judge treat me very intemperately. I remember thinking that even if the judge was right on the law, there was a better way to handle that situation. That was the first day I thought of becoming a judge. A few years later, I had another experience that cemented that desire. I prosecuted a murder case that dragged on for about two years due to the defendant's significant mental health issues. Ultimately, the jury convicted the defendant of first-degree murder. As a result, the only sentencing option available to the judge was life in prison. I should note that this took place before the Victim's Rights Act was enacted. When I asked the judge if the victim's family could speak prior to sentencing, the judge – who happened to be an excellent judge – unfortunately denied the request, announcing that the court did not have any discretion regarding the sentencing. I will never forget the faces of the victim's family. They had waited two years to talk about the victim, and they never got the chance. That day, I decided that I wanted to become a judge, and I promised myself that if that ever happened, I would do everything in my power to let people know that I cared and that I truly listened. A few years later, I was appointed to the district court in Jefferson County. That was twenty-three years ago. And treating everyone with dignity and respect to the very best of my ability has been the cornerstone of my judicial philosophy, and becoming Chief Justice didn't change that.

Conclusion

I thought it was important for you all to hear about the seven of us. I am proud to serve with each of them. While we frequently disagree on the difficult legal issues that come before us, we

are of one mind in our dedication to the branch. We are the leaders of the branch, and we are all committing to our emerging future. And we are lucky to have a partner in our State Court Administrator – Steven Vasconcellos. Steven is the right person at the right time. He is a transformational leader, and he is committed to our vision. It is a shared vision.

I am not here today to declare mission accomplished, but I am here to say that we have a vision and a plan. Let me remind you of our strategic priorities.

We are improving our operations to better serve Colorado;

We are empowering our employees;

And we are listening to all stakeholders.

There remains work to be done. But we have a path forward to which we are committed. Two years ago, I committed to the idea that we would “think anew and act anew.” We have lived up to that commitment. With your help we will continue our work.

The last two years have not been easy. But it has also been a time where leadership has been presented with an opportunity. Honestly, the difficulties have allowed us to really examine how we work and who we are. We are in a much better place than we were two years ago at this time, and because of the lessons learned our future is bright.

Thank you for the opportunity to talk with you today.